

Practitioner's Docket No. 17396/09169

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: Jawed Asrar, et al.

Confirmation No.: 6674

Application No.: 10/691,801

Group No.: 1616

Filed: 10/22/2003

Examiner: Alton N. Pryor

For: Seed Treatment With Combinations  
of Insecticides

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT TRANSMITTAL

1. Transmitted herewith is a response for this application.

STATUS

2. Applicant is other than a small entity.

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. § 1.8(a)**

☒ with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

  
\_\_\_\_\_  
Signature

Date: March 23, 2007

Mim Voet

\_\_\_\_\_  
(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

### EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for two months:

Fee: \$450.00

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

|   | (Col. 1)                                  | (Col. 2)                              | (Col. 3)         | OTHER THAN A SMALL ENTITY |      |               |  |
|---|---|---------------------------------------|------------------|---------------------------|------|---------------|--|
|   | CLAIMS<br>REMAINING<br>AFTER<br>AMENDMENT | HIGHEST NO.<br>PREVIOUSLY<br>PAID FOR | PRESENT<br>EXTRA |                           |      |               |  |
|   |   |                                       |                  | RATE                      |      | ADDIT.<br>FEE |  |
| TOTAL                                     | 9   | — 42                                  | = 0              | x \$ 50.00                | = \$ | 0.00          |  |
| INDEP.                                    | 2   | — 3                                   | = 0              | x \$ 200.00               | = \$ | 0.00          |  |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |                                       |                  | + \$ 0.00                 | = \$ | 0.00          |  |
|   |   |                                       |                  | TOTAL<br>ADDIT. FEE       | \$   | 0.00          |  |

No additional fee for claims is required.

### FEE PAYMENT

5. Attached is a check in the sum of \$450.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-2548.

A duplicate of this paper is attached.

### FEE DEFICIENCY

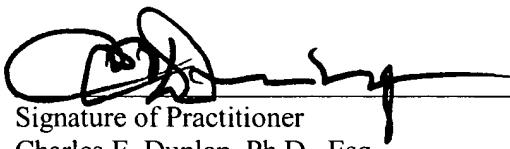
6. If an additional extension and/or fee is required, charge Deposit Account No. 50-2548.

If an additional fee for claims is required, charge Deposit Account No. 50-2548.

Date: March 23, 2007

Reg. No.: 35,124

Telephone No.: 864-250-2238  
Facsimile No.: 803-255-9831  
Customer No.: 45850

  
Signature of Practitioner  
Charles E. Dunlap, Ph.D., Esq.

Nelson Mullins Riley & Scarborough, LLP  
1320 Main Street, 17th Floor  
Columbia, SC 29201  
U.S.



Practitioner's Docket No. 17396/09169

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:      Jawed Asrar, et al.

Confirmation No.: 6674

Application No.: 10/691,801

Group No.: 1616

Filed: 10/22/2003

Examiner: Alton Nathaniel Pryor ✓

For:    SEED TREATMENT WITH  
         COMBINATIONS OF INSECTICIDES

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that the attached correspondence, comprising of:

1. Fee Transmittal for FY 2007 (2 pages – original and copy)
2. Petition and Fee For Extension of Time (37 C.F.R. § 1.136(a)) (2 pages – original and copy)
3. Response Restriction Requirement Transmittal (2 pages – original and copy)
4. Response to Restriction Requirement (2 pages)
5. Check in the amount of \$450.00 (other than small entity: 2-mo. ext. of time to file response)
6. Return Receipt Postcard,

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Mail Stop Amendment  
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on March 23, 2007.

Mim Voet

**Signature of person mailing paper**

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2007**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 450.00

**Complete if Known**

|                      |                              |
|----------------------|------------------------------|
| Application Number   | 10/691,801 Confirm. No. 6674 |
| Filing Date          | October 22, 2003             |
| First Named Inventor | Jawed Asrar et al.           |
| Examiner Name        | Alton N. Pryor               |
| Art Unit             | 1616                         |
| Attorney Docket No.  | 17396/09169                  |

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 50-2548 Deposit Account Name: Nelson Mullins Riley & Scarborough, LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |                       | SEARCH FEES |                       | EXAMINATION FEES |                       | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
|                  | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)    | Small Entity Fee (\$) | Fee (\$)         | Small Entity Fee (\$) |                |
| Utility          | 300         | 150                   | 500         | 250                   | 200              | 100                   |                |
| Design           | 200         | 100                   | 100         | 50                    | 130              | 65                    |                |
| Plant            | 200         | 100                   | 300         | 150                   | 160              | 80                    |                |
| Reissue          | 300         | 150                   | 500         | 250                   | 600              | 300                   |                |
| Provisional      | 200         | 100                   | 0           | 0                     | 0                | 0                     |                |

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| Fee (\$) | Small Entity Fee (\$) |
|----------|-----------------------|
| 50       | 25                    |
| 200      | 100                   |
| 360      | 180                   |

**Total Claims** **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

\_\_\_\_ - 20 or HP = \_\_\_\_ x \_\_\_\_ = \_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

\_\_\_\_ - 3 or HP = \_\_\_\_ x \_\_\_\_ = \_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**Multiple Dependent Claims****Fee (\$)** **Fee Paid (\$)****3. APPLICATION SIZE FEE**

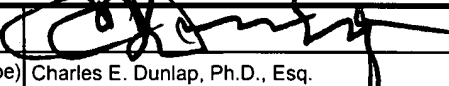
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets      | Extra Sheets     | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|-------------------|------------------|--|----------|---------------|
| ____ - 100 = ____ | ____ / 50 = ____ | ____ (round up to a whole number)                | x ____   | = ____        |

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Two-month extension fo time to file response**Fees Paid (\$)**\$450.00**SUBMITTED BY**

|                   |   |  |                        |
|-------------------|---|--|------------------------|
| Signature         |  | Registration No. (Attorney/Agent) 35,124 | Telephone 864-250-2238 |
| Name (Print/Type) | Charles E. Dunlap, Ph.D., Esq.  | Date March 23, 2007                      |                        |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.